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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/614,639	07/07/2003	Salvatore Albani	AND-1001-DIV2	8214

7590 01/09/2007
Daniel M. Chamber
Bio Technology Law Group
658 Marsolan Avenue
Solana Beach, CA 92075-1931

EXAMINER

EWOLDT, GERALD R

ART UNIT	PAPER NUMBER
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1644

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
30 DAYS	01/09/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.



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10-614639

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT	PAPER
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107

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Commissioner for Patents

On 9/7/06 a First Office Action on the Merits for the invention of the instant application was issued. Said invention comprised:

A device comprising:

a chamber that comprises a solid support; and

bound to the solid support, antigen presenting cells that comprise:

- a liposome comprising a lipid bilayer comprised of neutral phospholipids and cholesterol;
- at least one GM-1 ganglioside molecule disposed in the lipid bilayer;
- a cholera toxin beta subunit bound to a GM-1 ganglioside molecule;
- an MHC component loaded with an antigen of interest, wherein the antigen-loaded MHC component is bound to the cholera toxin B subunit;
- an accessory molecule that can stabilize an interaction between a T cell receptor and the antigen-loaded MHC component; and
- an immunomodulatory molecule.

In the response filed 10/27/06 Applicant canceled the pending claim and replaced it with:

An immunomodulatory column comprising:

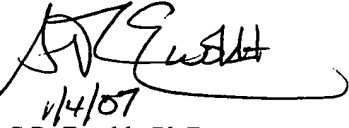
A multiplicity of compartments positioned in relation to one another in series, said compartments having channels interconnecting adjacent compartments, said channels further having a means to isolate said compartments from one another, said compartments further having at least one entrance and at least one exit ports for receiving or expelling, respectively, a flowable medium, said ports further having a means to close said ports to impede said flowable medium, any one or more of said compartments further optionally comprising biological and/or structural components selected from the group consisting of artificial APC's, molecular labels including irrelevant molecules capable of binding to solid supports or artificial APC, antigen-specific peptides capable of binding MHC, MHC molecules and solid supports capable of binding any of the forgoing biological or structural components.

The newly claimed invention is patentably distinct from the invention of the First Office Action on the Merits. In particular note that the column of the new claim only optionally comprises an undescribed artificial APC and further optionally comprises numerous patentably distinct components. As Applicant is not at liberty to choose another invention after a First Office Action, the response is considered to be non-responsive.

Also note the non-compliant format of the instant submission, i.e., claims and remarks must be submitted on separate sheets.

Since the response appears to be bona fide, Applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dr. Gerald Ewoldt whose telephone number is (571) 272-0843. The examiner can normally be reached Monday through Thursday from 7:30 am to 5:30 pm. A message may be left on the examiner's voice mail service. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christina Chan can be reached on (571) 272-0841. Please Note: Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). Additionally, the Technology Center receptionist can be reached at (571) 272-1600.



1/4/07

G.R. Ewoldt, Ph.D.
Primary Examiner
Technology Center 1600